Application No. 10/803,961
Amendment dated August 17, 2006
Reply to Office Action of May 17, 2006

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REMARKS

The Applicants thank the Examiner for the thorough consideration given the present application. Claim 4 was previously cancelled without prejudice to or disclaimer of the subject matter contained therein. Claims 1-3 and 5-21 are pending. Claims 1, 16, and 21 are amended. Claims 1, 16, and 21 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Allowable Subject Matter

The Examiner states that claims 17-20 would be allowable if rewritten in independent form including all of the limitations of the base and intervening claims.

In response, none of objected-to claims 17-20 has been rewritten in independent form at this time. Instead, each of independent claims 1, 16, and 21 has been amended to set forth novel subject matter not taught or suggested by the references cited by the Examiner.

Accordingly, it is believed that each of independent claims 1, 16, and 21 is in condition for allowance.

Rejections Under 35 U.S.C. § 102(e) and § 103(a)

Claims 1, 2, 5-12, 14, 16, and 21 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Iimuro (U.S. 6,679,347). Further, claim 3, 13, and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Iimuro in view of Nagashi (U.S. 6,502,658). These rejections are respectfully traversed.

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Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

Arguments Regarding Independent Claims 1, 16, and 21

As noted above, each of independent claims 1, 16, and 21 has been amended herein to recite a combination of elements, including *inter alia*

wherein the inner wall and the outer wall of each of the pipe members join each other at an upper-most edge, the upper-most edge of each of the pipe members being curved in an upwardly curved convex shape when viewed from a side view.

See FIGS. 1 and 2 for support.

By contrast, as can be seen in Iimuro FIGS. 1-4, this document merely discloses upper-most edges of pipe members that are convex outwardly when viewed from the above, but are NOT convex upwardly when viewed from the side. When viewed from the side, the pipe members of Iimuro are straight, NOT convex upwardly.

Thus, the Iimuro device is a completely different configuration from that of the present invention.

Applicants respectfully submit that the combination of elements as set forth in each of independent claims 1, 16, and 21 is not disclosed or made obvious by the prior art of record, including Iimuro, at least for the reason explained above.

Therefore, independent claims 1, 16, and 21 are in condition for allowance.

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

Birch, Stewart, Kolasch & Birch, LLP

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Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §102(e) and §103(a) are respectfully requested.

All claims of the present application are now in condition for allowance.

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.
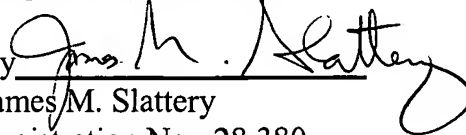
If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 205-8000.

If necessary, the commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to deposit account no. 02-2448 for any additional fees required under 37 c.f.r. §§1.16 or 1.17, particularly extension of time fees.

Dated: August 17, 2006

Respectfully submitted,

By

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